City of Lafayette
Public Meeting Agenda
Lafayette City Council
Redevelopment Agency

Monday, July 27, 2009 **7:00 PM**
Lafayette Community Center – **Manzanita Room**
500 St. Mary's Road, Lafayette, California

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1) CALL TO ORDER
2) ROLL CALL
3) PLEDGE OF ALLEGIANCE
4) ADOPTION OF AGENDA
5) PUBLIC COMMENTS
6) PRESENTATIONS
7) OLD BUSINESS
   A. **Continued consideration of a request from Contra Costa Certified Farmers' Markets, Inc. to use Lafayette Plaza for a farmers' market pilot program**
   Recommendation: Discuss and direct staff.

   Convene Redevelopment Agency

   B. **Glenda Warmoth, Assistant Planner**
   Eden Housing Inc.'s request to amend the loan agreement to include an additional $500,000 dedication of redevelopment agency funds to bridge funding gap for the senior housing project located at 3246 Mt. Diablo Blvd.
   Recommendation: Approve the request and direct staff to draft a modified loan agreement increasing the Agency's contribution to the Eden senior housing project by $500,000 for consideration at the August 10, 2009 meeting.

   Adjourn Redevelopment Agency

8) STAFF REPORTS
   A. **Tony Coe, Engineering Services Manager**
   Updating City's Americans with Disabilities Act Transition Plan
   Recommendation: Adopt Resolution 2009-43 updating the City's policy for installing disabled access curb ramps, removing barriers to path of travel facilities, and amending the City's Americans with Disabilities Act Transition Plan.

   B. **Jennifer Russell, Parks, Trails & Recreation Director**
   Use of Measure WW funds for the Parks, Trails & Recreation Capital Improvement Projects
   Recommendation: Discuss and direct staff.

9) PUBLIC HEARING
   A. **Mark Robbins, Code Enforcement Officer**
      1. **Special Assessment/Recovery of Costs – Administrative Citation Issued for Multiple LMC Violations, and costs incurred for property nuisance abatement at 3195 Condit Road (APN 185-103-017); Joel Barcelona, Owner-of-Record, and Countrywide Home Loans, Inc.**

Recommendation: Conduct the public hearing, consider and approve the lien and direct the city clerk to record the special assessment against the property.

2. **Special Assessment/Recovery of Costs – Administrative Citation Issued for Multiple CCCBID and LMC Violations (addition to a commercial building without permits) at 284-286 Lafayette Circle (APN 243-160-012); Herbert R. Monroe Trust, Property Owner**
   Recommendation: Conduct the public hearing, consider and approve the lien and direct the city clerk to record the special assessment against the property.

B. **Michael Cass, Assistant Planner**
ZT02-09: Interim Urgency Ordinance 587, Establishing a Temporary Moratorium on the Establishment and Operation of Medical Marijuana Dispensaries
Recommendation: Adopt Ordinance 587.

10) CONSENT CALENDAR

A. **City Council Minutes**
July 13, 2009
Recommendation: Approve.

B. **811 Topper Lane – Request for Fence Encroachment into the City Right-of-Way**
Recommendation: Approve encroachment into the City Right-of-Way along 811 Topper Lane and authorize the Mayor to execute an amendment to the existing encroachment agreement with applicant.

C. **Parks, Trails and Recreation Commission 2008-2009 Accomplishments and 2009-2010 Goals**
Recommendation: Review and approve the Parks, Trails and Recreation Commission 2008-2009 Accomplishments and 2009-2010 Goals.

D. **Award Contract for Lafayette Community Center Re-Roofing**
Recommendation: Adopt the project plans, specifications, and working details for the Lafayette Community Center Roof Restoration Project and award contract to the lowest bidder, Reinhardt Roofing, in the amount of $119,500.

E. **Negotiations Regarding Acquisition of Olympic Blvd. Property - APN 185-190-006-6**
Recommendation: Schedule a Closed Session on August 10, 2009 with City negotiators to discuss price and terms for the acquisition of the Olympic Blvd. property APN 185-190-006-6.

F. **Policy for Smart Cell Phones for City Employees**
Recommendation: Approve policy for voice and data plans for city authorized cell phones.

G. **Authorization to Submit a Safe Routes to Transit Grant Application**
Recommendation: Authorize staff to submit a Safe Routes to Transit grant application.

H. **Comments on Contra Costa Transit Authority's draft Countywide Bicycle and Pedestrian Plan**
Recommendation: Authorize the Mayor to sign the comment letter to the Contra Costa Transit Authority regarding the draft Countywide Bicycle and Pedestrian Plan.

11) COUNCIL/COMMISSION REPORTS

A. Councilmember report on activities and consideration of matters a councilmember wishes to initiate for placement on a future agenda.

12) WRITTEN COMMUNICATIONS

A. **Request from the Department of Health & Human Services to recognize September 2009 as National Alcohol & Drug Addiction Recovery Month.**
Recommendation: Receive and file.

B. **Letter dated July 16, 2009 from Jim Fitzsimmons, Lafayette Homeowners Council Chairperson, requesting that any Downtown Strategy and Specific Plan (DSP) use of the term "sight lines" as descriptive of scenic corridors be changed to "scenic view corridors".**
Recommendation: Discuss and direct staff.

C. **E-mail received July 21, 2009 from Gint Federas, on behalf of the Lafayette Moraga Youth Association, requesting a proclamation recognizing the 49th Annual Contra Costa County Championship Swim Meeting to be held August 15 and 16.**
Recommendation: Discuss and direct staff.

13) ADJOURNMENT

I, Joanne Robbins, declare under penalty of perjury that this agenda has been posted at least 72 hours in advance at the Lafayette City Offices, 3675 Mt. Diablo Blvd., Suite 210, Lafayette, CA.

* Any writings or documents pertaining to an **open session** item provided to a majority of the City Council less than 72 hours prior to the meeting, shall be made available for public inspection at the front counter at City Hall located at 3675 Mt. Diablo Blvd., Suite 210, Lafayette, CA. during normal business hours.

City of Lafayette
General Information for Public Meetings

Location of Agendas and Agenda Packets: Agenda and packets are available for review by the public during regular work hours at the Lafayette City Offices, 3675 Mt. Diablo Blvd., Suite 210. Agendas and packets shall be made available at least 72 hours in advance of each meeting. Agendas and staff reports are also available on the city website www.ci.lafayette.ca.us .

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132). Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Joanne Robbins, City Clerk at (925) 299-3210 at least 48 hours before the meeting, if possible.

Board1 Discussion: In accordance with State Law, the Board is generally prohibited from discussing and making decisions regarding items not posted on the agenda. Exceptions include items of urgency that become known to the Board after the posting of the agenda; discussion of such items requires a 4/5ths affirmative vote by the Board.

Persons Wishing to Speak: Any person may address the Board on any item listed on this agenda. Persons wishing to address the Board should complete a speaker slip and submit it to the City staff. In addressing the Board, speakers should step to the podium and state their names and addresses for the record.

Public Comments on Agenda Items: Persons wishing to speak on items listed on the agenda will be heard when called by the meeting chair. After the public has commented, the item will be closed to public comment and brought to the Board for discussion and action. There is no further comment permitted from the audience unless invited by the meeting chair.

Public Comments on Non-Agenda Items: Persons wishing to speak on matters not posted on this agenda are encouraged to submit the matter in writing to the City Clerk or staff aide at least ten days prior to the next regularly scheduled Board meeting date. Persons unable to do this may address the Board under the PUBLIC COMMENTS section of this agenda. Note, however, that such matters may be referred to staff for action or posted on a future agenda.

Time Limit on Comments: Persons will be permitted to speak for up to three minutes.

Posted Times: Posted times are estimated and actual times will vary. Public hearings may start later but never earlier than the posted time.

Reconsideration of Items: After the Board has acted on an agenda item, it may reconsider the same item later in the meeting in accordance with Council Rules of Proceedings II.D.4 in Resolution 2007-049.

Consent Calendar: All matters listed under consent calendar are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items unless requested by a member of the Board or a member of the public prior to the time that the Board votes on the motion to adopt.

Notice Requirements: Lafayette Municipal Code Section 6-211 requires that the City provide public notice of the first public hearing for any meeting that requires public notice. If there are additional meetings, they are **not re-noticed**. Be advised that it is the responsibility of any interested party to follow the continuance date or dates, as well as to be apprised of whether project revisions have been submitted.

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1 "Board" is used here as a generic term for the City Council, commissions, committees, task forces, and other public decision-making boards.